

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DWIGHT G. SHAW, individually and on
behalf of a class of similarly situated
individuals,

Plaintiff,

v.

CELLCO PARTNERSHIP, a Delaware
General Partnership d/b/a Verizon Wireless;
VERIZON COMMUNICATIONS, INC., a
Delaware corporation; VODAFONE GROUP
PLC, a public limited company incorporated
in England; OPENMARKET, INC., a
Michigan corporation; SNACKABLE
MEDIA, LLC (formerly Nextweb Media,
LLC), a Nevada limited liability company;
and PREDICTO MOBILE, LLC, a Delaware
limited liability company,

Defendants.

NO. 2:10-cv-184 RSL

**PLAINTIFF'S STATUS REPORT ON
ILLINOIS SETTLEMENT**

REPORT ON SETTLEMENT

Plaintiff submits this status report pursuant to the Court's Order of August 31, 2010
(Dkt. No. 29). This case is stayed pending the conclusion of settlement proceedings in *Walker*
et al. v. Cellfish Media, LLC, Case No. 08 CH 40592, Circuit Court of Cook County, Illinois,
County Dept., Chancery Division, filed October 28, 2008 (the "*Walker Action*"). (*Id.*).

**PLAINTIFF'S STATUS REPORT ON ILLINOIS
SETTLEMENT**

(NO. 2:10-CV-184 RSL) - 1

4989/001/240304.1

TOUSLEY BRAIN STEPHENS PLLC
1700 Seventh Avenue, Suite 2200
Seattle, Washington 98101
TEL. 206.682.5600 • FAX 206.682.2992

1 A final fairness hearing was held in the *Walker Action* on January 14, 2011 at which
2 time the court approved the settlement. The approval order will become final on February 13,
3 2011.

4 The next status report will be filed March 1, 2011.

5
6 Respectfully submitted this 1st day of February, 2011 by:

7
8 **TOUSLEY BRAIN STEPHENS PLLC**

9
10 By: /s/Mary B. Reiten

11 Mary B. Reiten, WSBA #33623
12 Christopher I. Brain, WSBA #5054
13 1700 Seventh Avenue, Suite 2200
14 Seattle, Washington 98101
15 Tel: 206.682.5600
16 Fax: 206.682.2992
17 mreiten@tousley.com

18 *Attorneys for Plaintiff*
19
20
21
22
23
24
25
26
27

CERTIFICATE OF SERVICE

I hereby certify that on February 1, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record, and I mailed the foregoing documents to the following:

Jeffrey M. Thomas
GORDON TILDEN THOMAS &
CORDELL LLP
1001 Fourth Ave, Suite 4000
Seattle, WA 98154-1007

-and-
Sanket J. Bulsara
WILMERHALE LLP
399 Park Avenue
New York, new York 10022

*Attorneys for Defendant OpenMarket,
Inc.*

David C. Rimas
KLEIN ZELMAN ROTHERMAN LLP
485 Madison Avenue
New York, NY 10022-5803

*Attorneys for Defendants Predicto Mobile,
LLC and Snackable Media, LLC*

DATED at Seattle, Washington, this 1st day of February, 2011.

By: /s/ Mary B. Reiten

Mary B. Reiten, WSBA #33623
mreiten@tousley.com
Attorneys for Plaintiffs
TOUSLEY BRAIN STEPHENS PLLC
1700 Seventh Avenue, Suite 2200
Seattle, Washington 98101
Tel: 206.682.5600